

REMARKS

Receipt of the Office Action mailed May 14, 2010 is hereby acknowledged. Reconsideration in view of the foregoing amendments and the following remarks is respectfully requested.

Amendments

Applicants have amended claims 11 and 20 to recite that the claimed methods "comprise" the recited steps, and that the final curing step takes place without rewetting the medical device. This amendment is supported by the specification which never mentions the use of a rewetting step, and includes numerous examples which do not have a rewetting step.

Applicants have also added new claims 22-31, which parallel the previously pending claims, except that they recite that the claimed methods "consist of" the recited steps.

No new matter has been added.

Rejection Under § 112

The Examiner rejected claims 11-21 under 35 U.S.C. § 112, first paragraph as allegedly failing to comply with the written description requirement because of the use of the transitional phrase "consisting essentially of." While

Applicants do not agree with the Examiner on this issue, the rejection has been obviated by the amendments to claims 11 and 20.

Prior Art Rejections

The Examiner has maintained the rejection of claims 11-13 and 15-21 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Madsen, U.S. Patent Application Publication No. 2002/0037943 ("Madsen") in view of Hunter, et al., U.S. Patent Publication No. 2004/0043052 ("Hunter"). Applicants traverse.

As discussed in the last Amendment, Madsen discloses a multi-step process for coating a catheter with a two-layer crosslinked, hydrophilic polymer coating. The catheter is dipped in a solvent mixture of PVP, or a mixture of hydrophilic polymers and additives, and then exposed to UV light (i.e. irradiated and cured) so as to crosslink the polymers on the surface. The coatings are then dried. The catheters are then further processed by being placed in a second wetting solution containing PVP, and sterilized (by irradiation or autoclaving) while stored in this solution. Thus, Madsen discloses a multi-step process in which there must be at least two irradiation steps or an irradiation step and an autoclaving step, and in which the second

step occurs after re-wetting.

Claims 11-21 recite a process in which the final curing step takes place after an evaporation step and in which the final curing step takes place without further rewetting of the medical device. This process is very different from the process described by Madsen, in which the medical device is rewetted prior to the sterilization step (see, e.g., ¶¶ [0052], [0061], [0066], [0095], [0101], [0106]). Nothing in Madsen teaches or suggests that its process can take place without a rewetting step. Nor does Hunter cure this deficiency.

Accordingly, Applicants submit that the rejection of claims 11-21 over Madsen in view of Hunter should be withdrawn.


Similarly, new claims 22-31 exclude the use of a rewetting step or a second irradiation/autoclaving step. Thus, claims 22-31 are also patentable over the cited art.

Conclusion

In view of the foregoing amendments and remarks, Applicants submit that the claims are now in condition for allowance. Prompt notice to that effect is earnestly solicited. If the Examiner believes a telephone call would advance prosecution of the application, he is invited to telephone the undersigned.

Respectfully submitted,

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